

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CONWAY T. PERRY,

Defendant.

8:12CR185

ORDER

This matter is before the court on the defendant's motion to continue trial [76] as counsel has just made his entry of appearance on February 5, 2013 and requests additional time to prepare for trial. For good cause shown,

IT IS ORDERED that the motion to continue trial is granted, as follows:

1. The jury trial now set for February 12, 2013 is continued to **February 26, 2013**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 26, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED February 6, 2013.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge